

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA**

**WESTERN DIVISION**

PAUL DORR and ALEXANDER DORR, individually, and  
on behalf of all other persons similarly situated,

Plaintiff(s)

vs.

DOUGLAS L. WEBER, individually, and in his capacity as  
Sheriff of Osceola County,

Defendant(s)

**HEARING MINUTES**

Case No.: C 08-4093-MWB

Presiding Judge: Mark W. Bennett

Deputy Clerk: /s/ Nicholas Herbold

Court Reporter: Shelly Semmler Contract? No

(If yes, send copy to financial)

Date:	6/16/2010	Start:	8:50 a.m.	Adjourn:	3:51 p.m.	Time in Chambers:	(none)	
Recesses:	10:45 a.m. - 11:07 a.m. (22 minutes); 12:03 p.m. - 1:14 p.m. (1 hour, 11 minutes); 2:41 p.m. - 3:03 p.m. (22 minutes)					Telephonic?	No	
Appearances:	Plaintiff(s):	William Mohrman, Vincent Fahnlander (plaintiffs personally present)						
	Defendant(s):	Douglas Phillips (defendant personally present)						
	U.S. Probation:	na						
	Interpreter:	None required		Language:	-	Certified:	-	Phone
<b>TYPE OF PROCEEDING:</b>		IS THE HEARING		Contested?	Yes	Continued from a previous date?		No
<b>TRIAL:</b>	Jury:		Non-jury:	X	Day:	1		
	Motion(s):	1. D's moves for Judgment as a Matter of Law. 2. P's moves for Judgment as a Matter of Law.				Ruling:	1. Taken under advisement. 2. Taken under advisement.	
	Time:	Event:		(Insert more rows as needed. Page numbering is automatic.)				
	8:50 a.m.-10:45 a.m.	Court opens with all parties present; court discusses preliminary matters; P gives opening statement; D gives opening statement; P calls Plaintiff Paul Dorr, direct, cross, court questions; recess.						
	11:07 a.m.-12:03 p.m.	Court opens with all parties present; D resumes questioning of Paul Dorr, with additional questions from court, D, and P; P calls Plaintiff Alexander Dorr, direct, cross, court questions; P calls Kevin Wolfswinkel, direct, cross, recess.						
	1:14 p.m.-2:41 p.m.	D calls Daniel DeKoter, direct, no cross; P calls Defendant Sheriff Weber, D's direct, P's direct/cross, recess.						

	3:03 p.m.- 3:51 p.m.	D resumes re-direct/cross of Sheriff Weber, court questions; P rests; D rests; Parties move for Judgment as a Matter of Law and court reserves ruling on both; court rules from the bench on Paul's First Amendment Retaliation claim, finding that Defendant Sheriff Weber's denial of Paul Dorr's Application for Permit to Carry Weapons was due to First Amendment Retaliation—Order to follow; court discusses briefing for remedial relief (parties wishing to file a brief must do so within 10 days) and time line for applications for attorney fees (period to begin on date of Order, not today's date); court adjourns.	
	<b>Verdict:</b>	na	
	<b>Criminal defendant detained pending sentencing?</b>		na
	<b>Witness/Exhibit List is</b>	Filed separately.	
	<b>Miscellaneous:</b>		